On January 20, 1936, a plea of guilty was entered and a fine of $25 was imposed.

M. L. WILSON, *Acting Secretary of Agriculture.*

25395. Adulteration and misbranding of barbital tablets, cinchophen tablets, phenobarbital tablets, and sugar-coated strychnine sulphate tablets. U. S. v. Hance Bros. & White, Inc. Plea of guilty. Defendant placed upon probation for 1 year. (F. & D. no. 35968. Sample nos. 18059–B, 18067–B, 18068–B, 18081–B, 18099–B.)

These articles did not conform to the standard under which they were sold and their labels bore erroneous statements as to the quantities of their essential ingredients, respectively.

On September 18, 1935, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Hance Bros. & White, Inc., Philadelphia, Pa., alleging shipment in violation of the Food and Drugs Act as amended, on or about August 24, 1934, from Philadelphia, Pa., to Lambertville, N. J., of quantities of Compressed Tablets Barbital, Compressed Tablets Cincophen, Compressed Tablets Phenobarbital and Sugar-Coated Tablets, Strychnine Sulph., which were adulterated and misbranded. The articles were labeled in part: (Bottle) "Compressed Tablets Barbital 5 Grains"; (bottle) "Compressed Tablets Cincophen 5 Grains" and on another bottle "Compressed Tablets Cincophen 7½ Grains"; (bottle) "Compressed Tablets Phenobarbital 1½ Grains"; (bottle) "Sugar-Coated Tablets Strychnine Sulph. 1/40 Grain Hance Bros. & White Incorporated Pharmaceutical Chemists Philadelphia Estab. 1855."

Analyses showed the barbital tablets contained 4.41 grains of barbital, corresponding to a shortage of 11.8 percent of the declared 5-grain tablet; that the 5-grain cinchophen tablets contained 4.37 grains of cinchophen, corresponding to a shortage of 12.6 percent of the declared 5-grain tablet; that the 7½-grain cinchophen tablets contained 6.43 grains of cinchophen, corresponding to a shortage of 14.3 percent of the declared 7½-grain tablet; that the 1½-grain phenobarbital tablets contained 1.36 grains of phenobarbital, corresponding to a shortage of 9.3 percent of the declared 1½-grain tablet; that the sugar-coated strychnine sulphate tablets (1/40-grain) contained 0.021 grain of strychnine sulphate, corresponding to a shortage of 16 percent of the declared 1/40-grain tablet.

The barbital tablets were alleged to be adulterated in that their strength and purity fell below the professed standard and quality under which they were sold, in that each tablet contained not more than 4.41 grains of barbital.

The cinchophen tablets were alleged to be adulterated in that their strength and purity fell below the professed standard and quality under which they were sold, with respect to the quantity thereof contained in the bottles which were labeled "Cincophen 5 Grains", in that each of said tablets contained not more than 4.37 grains of cinchophen, with respect to the bottles which were labeled "Cincophen 7½ Grains", that each of said tablets contained not more than 6.43 grains of cinchophen.

The phenobarbital tablets were alleged to be adulterated in that their strength and purity fell below the professed standard and quality under which they were sold, in that each tablet contained not more than 1.36 grains of phenobarbital.

The sugar-coated strychnine sulphate tablets were alleged to be adulterated in that their strength and purity fell below the professed standard and quality under which they were sold in that each of said tablets contained not more than 0.021 grain (1/48 grain) of strychnine sulphate.

The barbital tablets were alleged to be misbranded in that the statement borne on the bottle containing the article, to wit, "Tablets Barbital 5 Grains", was false and misleading, in that said tablets contained not more than 4.41 grains of barbital.

The cinchophen tablets were alleged to be misbranded in that the statement borne on one of said bottles containing said article, to wit, "Tablets Cincophen 5 Grains", was false and misleading in that said tablets contained not more than 4.37 grains of cinchophen, and in that the statement borne on the other of said bottles, to wit, "Tablets Cincophen 7½ Grains", was false and misleading in that the said tablets contained not more than 6.43 grains of cinchophen.

The phenobarbital tablets were alleged to be misbranded in that the statement borne on the bottle, to wit, "Tablets Phenobarbital 1½ Grains", was false and misleading in that each of said tablets contained not more than 1.36 grains of phenobarbital.

The sugar-coated strychnine sulphate tablets were alleged to be misbranded in that the statement borne on the bottle, to wit, "Tablets Strychnine Sulph. 1/40

Grain", was false and misleading, in that each of said tablets contained not more than 0.021 grain (1/48 grain) of strychnine sulphate.

On December 2, 1935, a plea of nolo contendere having been entered, the defendant was placed upon probation for 1 year.

M. L. WILSON, *Acting Secretary of Agriculture.*

25396. Misbranding of Roo-Mo-Rub. U. S. v. Roo-Mo-Rub Corporation and Herman H. Kronberg. Pleas of nolo contendere. Each defendant fined $50 and placed upon probation for 1 year. (F. & D. no. 35977. Sample nos. 24216–B, 24519–B, 29609–B.)

Unwarranted curative and therapeutic claims were made for this article and its label did not bear a plain and conspicuous statement of its alcoholic content.

On November 18, 1935, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Roo-Mo-Rub Corporation, Philadelphia, Pa., and Herman H. Kronberg, alleging shipments by them in violation of the Food and Drugs Act as amended, in the period from on or about January 15, 1934, to February 8, 1935, from Philadelphia, Pa., to places in the State of New Jersey, of quantities of Roo-Mo-Rub which was misbranded. The article was labeled in part: (Bottle) "Roo-Mo-Rub Corp. Philadelphia, Pa."

Analysis showed that the article was a light amber solution consisting chiefly of alcohol, water, and methyl salicylate with a little coloring matter.

The article was alleged to be misbranded in that the label on the bottle bore, and a circular enclosed in the package contained, false and fraudulent statements that the article was effective as a treatment and remedy for aching feet, eruptions, rheumatism, sciatica, swollen and stiff joints, cutaneous conditions, inflammations due to outdoor exposure, burns, typhoid, pneumonia, scarlatina and other fever conditions, gout, erysipelas, mastitis, boils, carbuncles, inflammatory skin conditions, sore throat, bronchial and laryngeal cold, bronchitis, pains in lower limbs, lame shoulder, neuritis, pains in the knee joints and muscular rheumatism; effective to reduce swellings, soothe burns, keep cuts, wounds, and open sores free from infection, to relieve pain and suffering, rheumatic pains, and swollen glands, and to cleanse sores and pus cavities; effective as a treatment for suppurative sores and pus areas and all catarrhal conditions of mucous surfaces, and in scarlet, typhoid, and other fevers; effective to cool the skin, ease patient, and reduce temperature in typhoid, pneumonia, scarlatina, and other fever conditions; effective as beneficial to febrile and debilitated conditions, and to aid in reducing temperature in all febrile states; effective to quickly relieve pain, inflammation, swelling, and fever; and effective as an instant relief for headache and neuritis of the hands. The article was alleged to be further misbranded (a) in that the label on the package shipped on November 15, 1934, to Haddon Heights, N. J., failed to bear a statement as to the alcoholic content of the article; (b) and in that the labels on the packages shipped on January 2, 1935, to Haddon Heights, N. J., and on February 8, 1935, to Atlantic City, N. J., failed to bear plain and conspicuous statements as to the quantity of the alcoholic content of the article.

On December 5, 1935, pleas of nolo contendere having been entered, each defendant was fined $50 and placed upon probation for 1 year.

M. L. WILSON, *Acting Secretary of Agriculture.*

25397. Adulteration and misbranding of Syrup Ephedrine. U. S. v. Chicago Pharmacal Co., a corporation. Plea of guilty. Fine, $10, and costs awarded against defendant. (F. & D. no. 35981. Sample no. 35584–B.)

This article was inferior to its professed standard and its label bore erroneous statements.

On September 25, 1935, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Chicago Pharmacal Co., a corporation, Chicago, Ill., alleging shipment in violation of the Food and Drugs Act as amended on or about March 15, 1935, from Chicago, Ill., to Cincinnati, Ohio, of a quantity of Syrup Ephedrine which was adulterated and misbranded. The article was labeled in part: (Bottle) "No. 13 Syrup Ephedrine Alcohol 12% Each fluid ounce contains Ephedrine Sulphate 1 gr. * * * Chicago Pharmacal Co., Chicago."

Analysis of the article showed that each fluid ounce thereof contained less than 1 grain of ephedrine sulphate, namely, not more than 0.73 grain thereof per fluid ounce.